



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB1309

Introduced 2/9/2005, by Rep. Ed Sullivan, Jr.

SYNOPSIS AS INTRODUCED:

35 ILCS 200/21-150
35 ILCS 516/95

Amends the Property Tax Code and the Mobile Home Local Services Tax Enforcement Act. Provides that all applications for judgment and order of sale for taxes and special assessments on delinquent properties must be made no later than November 30 (now, the application must be made during the month of October). Provides that if a failure to obtain a judgment and order of sale arises by the county collector's not complying with any of the requirements of this Code, he or she shall be held on his or her official bond for the amount of all unpaid taxes and special assessments charged against him or her (now, he or she shall be held on his or her official bond for the full amount of all taxes and special assessments charged against him or her). Effective immediately.

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FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning taxes.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Property Tax Code is amended by changing
5 Section 21-150 as follows:

6 (35 ILCS 200/21-150)

7 Sec. 21-150. Time of applying for judgment. Except as
8 otherwise provided in this Section or by ordinance or
9 resolution enacted under subsection (c) of Section 21-40, all
10 applications for judgment and order of sale for taxes and
11 special assessments on delinquent properties shall be made no
12 later than November 30 ~~during the month of October~~. In those
13 counties which have adopted an ordinance under Section 21-40,
14 the application for judgment and order of sale for delinquent
15 taxes shall be made in December. In the 10 years next following
16 the completion of a general reassessment of property in any
17 county with 3,000,000 or more inhabitants, made under an order
18 of the Department, applications for judgment and order of sale
19 shall be made as soon as may be and on the day specified in the
20 advertisement required by Section 21-110 and 21-115. If for any
21 cause the court is not held on the day specified, the cause
22 shall stand continued, and it shall be unnecessary to
23 re-advertise the list or notice.

24 Within 30 days after the day specified for the application
25 for judgment the court shall hear and determine the matter. If
26 judgment is rendered, the sale shall begin on the date within 5
27 business days specified in the notice as provided in Section
28 21-115. If the collector is prevented from advertising and
29 obtaining judgment during the month of October, the collector
30 may obtain judgment at any time thereafter; but if the failure
31 arises by the county collector's not complying with any of the
32 requirements of this Code, he or she shall be held on his or

1 her official bond for the ~~full~~ amount of all unpaid taxes and
2 special assessments charged against him or her. Any failure on
3 the part of the county collector shall not be allowed as a
4 valid objection to the collection of any tax or assessment, or
5 to entry of a judgment against any delinquent properties
6 included in the application of the county collector.

7 (Source: P.A. 88-455; 88-518; 89-126, eff. 7-11-95; 89-426,
8 eff. 6-1-96; 89-626, eff. 8-9-96.)

9 Section 10. The Mobile Home Local Services Tax Enforcement
10 Act is amended by changing Section 95 as follows:

11 (35 ILCS 516/95)

12 Sec. 95. Time of applying for judgment. Except as otherwise
13 provided in this Section, all applications for judgment and
14 order of sale for taxes on delinquent mobile homes shall be
15 made no later than November 30 ~~during the month of October~~.

16 Within 30 days after the day specified for the application
17 for judgment the court shall hear and determine the matter. If
18 judgment is rendered, the sale shall begin on the date within 5
19 business days specified in the notice as provided in Section
20 60. If the collector is prevented from advertising and
21 obtaining judgment during the month of October, the collector
22 may obtain judgment at any time thereafter; but if the failure
23 arises by the county collector's not complying with any of the
24 requirements of this Act, he or she shall be held on his or her
25 official bond for the ~~full~~ amount of all unpaid taxes charged
26 against him or her. Any failure on the part of the county
27 collector shall not be allowed as a valid objection to the
28 collection of any tax, or to entry of a judgment against any
29 delinquent mobile homes included in the application of the
30 county collector.

31 (Source: P.A. 92-807, eff. 1-1-03.)

32 Section 99. Effective date. This Act takes effect upon
33 becoming law.